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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,504

11/19/2003

Kazuo Okawa

117647

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25944

7590

02/23/2005

OLIFF & BERRIDGE, PLC

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EXAMINER

TRAN, THUY V

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,504

Applicant(s)

OKAWA ET AL.

Examiner

Thuy V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/05/05; 11/19/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is a response to the Applicants' filing on 11/19/2003. In virtue of this filing, claims 1-9 are currently presented in the instant application.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Inventorship

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 11/19/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings Accepted

4. The drawings submitted on 11/19/2003 are accepted.

Claim Objections/ Minor Informalities

5. Claims 1, 5, 8, and 9 are objected to because of the following informalities:

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Claim 1, line 7, "the" (first occurrence) should be changed to --a--;

Claim 1, line 8, "that" should be changed to --the control device--;

Claim 5, line 2, "the" (second occurrence) should be changed to --a--;

Claim 8, line 5, "the" (first occurrence) should be changed to --a--;

Claim 8, line 6, "the" (second occurrence) should be changed to --a--; and between "lighting" and time", --starting-- should be inserted;

Claim 9, line 6, "the" (first occurrence) should be changed to --a--; and

Claim 9, line 8, "the" (second occurrence) should be changed to --a--; and between "lighting" and time", --starting-- should be inserted.

Appropriate correction is required.

Claim Objections/ Improper Dependent claim

6. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. While "A projector" (to modulate light beams emitted from a light source according to image information to form optical images and to enlarge and protect the optical images) is the preamble of the claim, the limitation "the circuit according to claim 1", which was recited in the previous claim 1, does not constitute any further limitation. Therefore, the claim is not treated on the merits. However, should Applicants insist on retaining claim 7, rewriting it in an independent form is suggested.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1 and 7-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Asakawa (U.S. Patent No. 6,634,757).

With respect to claims 1 and 7, Asakawa discloses, in Fig. 10, a circuit device in a projector to drive a light source [5] that includes a discharge tube (see col. 2, line 53; col. 8, lines 11-13); the circuit device comprises (1) a control device [4, 14] to drive the light source [5] to a plurality of lighting modes including a rated power mode (at a power of W_{max} ; see col. 10, line 23) and a power saving mode (at a power of W_{min} (see col. 10, line 24); the control device includes a lighting mode setting unit [14] to set the lighting mode to one of the plurality of lighting modes (see col. 10, lines 13-14), and a rated power supplying unit (POWER, which is controlled by lamp power control circuit [4]) to supply a rated power to the light source at a

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lighting starting time of the light source until a halogen cycle of the discharge tube is stabilized (see col. 8, lines 22-37), and switches the light source to the lighting mode set by the lighting mode setting unit [14] after the halogen cycle of the discharge tube is stabilized (see col. 8, lines 35-37).

With respect to claim 8, Asakawa discloses, in Fig. 10, a circuit driving device and a corresponding method of controlling the lighting of a light source [5], which is executed in a circuit to drive the light source that includes a discharge tube (see col. 2, line 53; col. 8, lines 11-13); the circuit device includes (1) a control device [4, 14] to drive the light source [5] and to switch the light source [5] to a plurality of lighting modes including a rated power mode (at a power of W_{max} ; see col. 10, line 23) and a power saving mode (at a power of W_{min} (see col. 10, line 24); the method comprises (1) setting a lighting mode to one of the plurality of lighting modes (via a lighting mode setting unit [14]; see col. 10, lines 13-14), (2) supplying a rated power to the light source [5] at a lighting starting time of the light source until a halogen cycle of the discharge tube is stabilized (via POWER, which is controlled by lamp power control circuit [4]) to supply a rated power to the light source at a lighting starting time of the light source until a halogen cycle of the discharge tube is stabilized; see col. 8, lines 22-37), and (3) switching the light source [5] to the lighting mode set in the setting of the lighting mode after the halogen cycle of the discharge tube is stabilized (see col. 8, lines 35-37).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asakawa (U.S. Patent No. 6,634,757).

With respect to claim 9, Asakawa discloses, in Fig. 10, a method of controlling the lighting of a light source [5], wherein the method is executed in a circuit to drive the light source [5] that includes a discharge tube (see col. 2, line 53; col. 8, lines 11-13); the circuit device includes (1) a control device [4, 14] to drive the light source [5] and to switch the light source [5] to a plurality of lighting modes including a rated power mode (at a power of W_{max} ; see col. 10, line 23) and a power saving mode (at a power of W_{min} (see col. 10, line 24); the method comprises (1) setting a lighting mode to one of the plurality of lighting modes (via a lighting mode setting unit [14]; see col. 10, lines 13-14), (2) supplying a rated power to the light source [5] at a lighting starting time of the light source until a halogen cycle of the discharge tube is stabilized (via POWER, which is controlled by lamp power control circuit [4]) to supply a rated power to the light source at a lighting starting time of the light source until a halogen cycle of the discharge tube is stabilized; see col. 8, lines 22-37), and (3) switching the light source [5] to the lighting mode set in the setting of the lighting mode after the halogen cycle of the discharge tube is stabilized (see col. 8, lines 35-37). Asakawa, however, does not teach a computer readable program for executing this method in which all the stated steps are programmed.

For the availability of such the steps prepared by Asakawa, to set up or bring about a computer readable program for executing his method for a computerized control of the lighting of a light source would have been deemed obvious to a person skilled in the art of computer applications.

Allowable Subject Matter

11. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter:

Prior art fails to disclose or fairly suggest a circuit to drive a light source that includes a discharge tube wherein the switching between the plurality of lighting modes is performed for one or more seconds, in combination with the remaining claimed limitations as called for in claim 2 (claims 3-6 would be allowable since they are dependent on claim 2).

Citation of relevant prior art

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Noji et al. (U.S. Patent No. 6,543,900) discloses a projection apparatus.

Prior art Kakimoto et al. (U.S. Patent No. 6,409,350) discloses an LCD projection apparatus.

Prior art Pedretti (U.S. Patent No. 5,811,942) discloses a device for optimized management of fluorescent lamps.

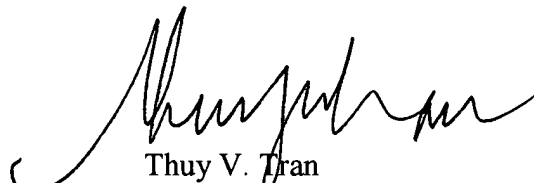
Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thuy V. Tran
Primary Examiner
Art Unit 2821

02/20/2005